

1 Christopher J. Fry, Esq. (SBN: 298874)

Email: cfry@frylawcorp.com

2 **FRY LAW CORPORATION**

4227 Sunrise Boulevard Suite 200

3 Fair Oaks, California 95628

Telephone: (916) 291-0700

4 Facsimile: (916) 848-0256

5 Attorneys for Defendant,

ANCHORED TINY HOMES INCORPORATED

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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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12 SHALON WATTS AND
13 ANTHONY WATTS,

14 Plaintiffs,

15 vs.

16 ANCHORED TINY HOMES
17 INCORPORATED,

18 Defendant,
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CASE NO.: 2:22-CV-00428-KJM-AC

**NOTICE OF MOTION AND MOTION
TO BE RELIEVED AS COUNSEL;
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT
THEREOF**

Date: September 4, 2025

Time: 1:30 p.m.

Courtroom: 7 (14th Floor)

Judge: Hon. Daniel J. Calabretta

Trial: None set.

Action Filed: March 27, 2022

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEY(S) OF RECORD:**

2 **PLEASE TAKE NOTICE** that Counsel for Defendant ANCHORED TINY HOMES
3 INCORPORATED, will move and hereby moves the above-entitled Court to be relieved
4 as counsel herein pursuant to Federal Rules of Civil Procedure Rule 284(2) which
5 provides that the court should freely give leave when justice so requires.

6 This motion is made pursuant to E.D. Cal L.R. 182(d) and under California Code
7 of Civil Procedure §284(2) on the grounds that there has been a conflict of interest
8 discovered and rendered further representation unreasonably difficult and/or impossible.
9 To protect the confidences and privileges of the Client, Counsel cannot elaborate but is
10 willing to discuss with the Judge in camera.

11 Defendant is aware and will not be unduly prejudiced by the withdrawal.

12 There is good cause to grant this motion, which is based upon this Notice, the
13 accompanying Memorandum of Points and Authorities, the proposed Motion to be
14 Relieved as Counsel to be filed upon granting of the motion, the [Proposed] Order
15 Granting the motion, and the other pleadings and papers on file in this action.

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17 **DATED:** June 30, 2025

Respectfully submitted,

18 **FRY LAW CORPORATION**

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20 By: /s/ Christopher J. Fry
21 Christopher J. Fry, Esq.
22 *Attorney for Defendant*
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MEMORANDUM OF POINTS AND AUTHORITIES

Counsel for Defendant hereby respectfully submits this Memorandum of Points and Authorities in support of his motion to be relieved as counsel as set forth below:

This motion is made pursuant to E.D. Cal L.R. 182(d) and under California Code of Civil Procedure §284(2) on the grounds that there has been a conflict of interest discovered and rendered further representation unreasonably difficult and/or impossible. To protect the confidences and privileges of the Client, Counsel cannot elaborate but is willing to discuss with the Judge in camera.

Defendant is aware and will not be unduly prejudiced by the withdrawal.

Defendant now seeks relief from the Court in the form of an order granting him leave to be relieved as counsel in the form and format as attached herein to **Exhibit A**.

LEGAL STANDARD

E.D. Cal L.R. 182(d) provides that "... an attorney who has appeared may not withdraw ... without leave of court." California Code of Civil Procedure §284(2) provides that permission to withdraw from a matter may be obtained by a court order. The court may give leave when justice so requires, and the Defendant will not be unduly prejudiced by the withdrawal.

A conflict of interest has been discovered and renders further representation unreasonably difficult and/or impossible. To protect the confidences and privileges of the Client, Counsel will agree to an in camera hearing on the motion in the event the Court requests one.

Defendant is aware and will not be unduly prejudiced by the withdrawal.

Counsel has conformed to the requirements governed by the Rules of Professional Conduct of the State Bar of California.

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2 **ARGUMENT**

3 **A. Local Rule for the Eastern District and California Code of Civil Procedure**
4 **§284 Permit the Withdrawal of Counsel with Leave of Court.**

5 E.D. Cal L.R. 182(d) provides that "... an attorney who has appeared may not
6 withdraw ... without leave of court." It further states that the attorney shall conform to the
7 requirements of the Rules of Professional Conduct of the State Bar of California.

8 California Code of Civil Procedure §284(2) provides that permission to withdraw
9 from a matter may be obtained by a court order.

10 Counsel for Defendant seeks leave of court in the submitting papers to be relieved
11 as counsel on the grounds that a conflict of interest has been discovered and renders
12 further representation unreasonably difficult and/or impossible. To protect the
13 confidences and privileges of the Client, Counsel cannot elaborate but will agree to an in
14 camera hearing on the motion in the event the Court requests one.

15 Considering all the facts and circumstances here, justice requires that Counsel for
16 Defendant be relieved as counsel.

17 **CONCLUSION**

18 Based on the foregoing, Counsel respectfully requests that the Court grants the
19 Motion and permit Counsel for Defendant to be withdrawn.
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21 **DATED:** June 30, 2025

22 Respectfully submitted,

23 **FRY LAW CORPORATION**

24 By: /s/ Christopher J. Fry
25 Christopher J. Fry, Esq.
26 Attorney for Plaintiff
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CERTIFICATE OF SERVICE
UNITED STATES DISTRICT COURT

I am employed in the County of Sacramento, State of California. I am over the age of 18 and not a party to the within action; my business address is: 4227 Sunrise Boulevard Suite 200, Fair Oaks, California 95628.

On June 30, 2025, I served the foregoing document(s) described as:

**NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUNSEL;
MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF**

Said document(s) were served on all interested parties in this action by placing [] the original (or) [X] a true copy thereof for service as follows:

Attorney for Plaintiffs Shalon Watts & Anthony Watts

Richard C. Dalton
P.O. Box 358
Carencro, Louisiana 70520-0358
rick@rickdalton.law
Tel. (337) 371-0375

[X] BY EMAIL: I hereby certify that I electronically transmitted the attached document(s) to the Clerk's Office using the CM/ECF System for filing and transmittal of Notice of Electronic Filing to the listed CM/ECF registrants.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. I declare under penalty of perjury under the laws of California that the above is true and correct. Executed on June 30, 2025, at Sacramento County, California.

/s/ Christopher J. Fry
Christopher J. Fry

